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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/510,615  | 05/26/2005  | Toshio Kazama        | AB-1386 US          | 1774             |
| 32605   | 7590        | 12/05/2005           | EXAMINER            |                  |
| MACPHERSON KWOK CHEN & HEID LLP<br>1762 TECHNOLOGY DRIVE, SUITE 226<br>SAN JOSE, CA 95110 |             |                      | NGUYEN, VINH P      |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2829                |                  |

DATE MAILED: 12/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                               |                                |  |
|------------------------------|-------------------------------|--------------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>10/510,615 | Applicant(s)<br>KAZAMA, TOSHIO |  |
|                              | Examiner<br>VINH P. NGUYEN    | Art Unit<br>2829               |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3 is/are rejected.
- 7) ☒ Claim(s) 2,4-9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1004,1005</u> . | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 2829

1. Claims 1- 9 are objected to because of the following informalities:

In claim 1, it appears that the limitation of “a holder hole forming member made of a second material filled in the opening substantially without extending outside the opening is not directly contact with the opening of the base plate” is inaccurate because there is a missing film formed over an inner circumferential surface of the opening before the holder hole forming member filled in that opening.

In claims 5-6, “said film” has no antecedent basis. Should this claim depend on claim 4 instead of claim 1.

In claim 9, it is unclear what “a stress relieving opening” represents. Is it shown in any of drawing?

The dependent claims not specifically address share the same indefiniteness as they depend from rejected base claims.

Appropriate correction is required.

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Byrnes et al (Pat # 4,423,376).

As to claim 1, Byrnes et al disclose a contact probe assembly as shown in figures 1-2 having a base plate member (38) made of a first material and provided with an opening therein, a holder hole forming member (36 or 40) made of second material filled in the opening without extending outside the opening and a plurality of holder holes being passed across a thickness of the holder hole forming member each for receiving a contact unit (16).

4. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Schadwill (Pat # 4,322,682).


As to claim 1, Schadwill discloses a contact probe assembly as shown in figures 2-3 having a base plate member (22) made of a first material and provided with an opening therein, a holder hole forming member (10) made of second material filled in the opening without extending outside the opening and a plurality of holder holes being passed across a thickness of the holder hole forming member each for receiving a contact unit (30).

As to claim 3, the material for the second material comprises plastic material.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VINH P. NGUYEN whose telephone number is 571-272-1964. The examiner can normally be reached on 6:30AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on 571-272-2034. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
VINH P NGUYEN  
Primary Examiner  
Art Unit 2829  
12/02/05